

REMARKS

The Examiner has required the Applicants to elect between the following groups of claims, as quoted in the Office Action of June 11, 2007:

- I. Claims 2-3, 17-20, 23-30, 33-35, 37, 39-43, 45-47, and 65-66, drawn to a method of PCR analysis.
- II. Claims 49-51, 53, 55-58, and 61, drawn to a compound.

In response, the Applicants respectfully elect Group I, claims 2-3, 17-20, 23-30, 33-35, 37, 39-43, 45-47, and 65-66. Further, applicants have amended Claims 49-51, 53, 55-58, and 61 to depend from claim 24. Accordingly, claims 49-51, 53, 55-58, 61 are now drawn to a method of PCR analysis and belong to Group I. Applicants therefore respectfully request consideration of claims 2-3, 17-20, 23-30, 33-35, 37, 39-43, 45-47, 49-51, 53, 55-58, 61, and 65-66.

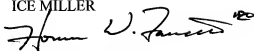
Further, it is noted that the examiner finds Ririe (Annal. Biochem., Vol. 245, pp. 154-160, 1997) anticipates claim 24. While this assertion was not made in the way of a rejection, applicants believe that a response to this assertion will aid in examination of this matter. The Ririe reference uses the dsDNA binding dye SYBR Green I. As seen in Table 1, page 45 of the present application, SYBR Green I has a percent saturation of 46%. Applicants respectfully submit that because claim 24 requires the dsDNA binding dye to have a percent saturation of at least 50%, the Ririe reference cannot anticipate claim 24.

Applicants believe this response is timely made, and does not require the payment of any fee. However, in the event Applicants have inadvertently overlooked the need to petition for an extension of time or to pay an additional fee, Applicants conditionally petition therefor, and authorize any fee deficiency to be charged to deposit account 09-0007. When doing so, please reference the above-listed docket number.

If the Examiner has any questions, please contact the undersigned.

Respectfully submitted,

ICE MILLER

A handwritten signature in black ink, appearing to read "Homer W. Faucett, III", with a small circular mark to the right.

Homer W. Faucett, III

Attorney Number 56,348

ICE MILLER

One American Square

Suite 3100

Indianapolis, IN 46282-0200

Telephone: (317) 236-2120

Facsimile: (317) 592-4819

HWF